UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,074	03/31/2004	Stephen R. Lawrence	24207-10081	7346

62296 7590 04/06/2007

GOOGLE / FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA ST.
MOUNTAIN VIEW, CA 94041

EXAMINER	
TIMBLIN, ROBERT M	
ART UNIT	**PAPER NUMBER**
2167	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/815,074	LAWRENCE ET AL.	
	Examiner	Art Unit	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action corresponds to application 10/815,074 and Applicant's remarks/amendments made thereto submitted on 1/22/2007.

Response to Amendments

Claims 1-7, 9, 14, and 16-21 have been amended and claims 22-26 have been subsequently added. Claims 1-26 have been examined and are pending prosecution.

Drawings

With Applicant's amendments made to the specification, the Examiner submits that the previous objections to the drawings are overcome. Accordingly the drawings are now accepted.

Claim Rejections - 35 USC § 112

Applicant's amendments to claim 17 have over come the USC 112 antecedent basis rejection previously stated. Accordingly, this rejection is withdrawn.

Claim Rejections - 35 USC § 101

The Examiner thanks Applicant for correcting and/or explaining the claims under the previous 35 USC 101 rejection. Accordingly the rejection is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Barrett et al. ('Barrett' hereafter) (U.S. Patent Application 2003/0135490). Barrett teaches the claims in the following drawing references of figures 1-2 and the following cited paragraphs.

With respect to claim 1, Barrett teaches a computer implemented method for ranking a collection of information associated with a plurality of search queries, comprising:

identifying an input signal indicating an interest in a first piece of information in the collection (0004 of page 2, 0005, and figure 2);

determining a search query associated with the first piece of information (figure 2, 0043, Information A and Q1 for example);

determining a search query associated with a second piece of information from the collection (figure 2, 0043, 0046, Info C and Q4 for example);

determining whether the search query associated with the first piece of information and the search query associated with the second piece of information are the same (0046-0047, 0053); and

if the search query associated with the first piece of information and the search query associated with the second piece of information are the same (0046-0047, determining query similarity and relevance to one another),

determining a score for the second piece of information based at least in part on the input signal (0009, 0043, and Enhanced Popularity Score (EPS)), and

ranking at least some of the collection of information based on the score (top of 0041 on page 5, 0047-0049 ad 20 of figure 1).

With respect to claim 2, Barrett teaches the method of claim 1, wherein the input signal indicates a selection of the first piece of information (0004).

With respect to claim 3, Barrett teaches the method of claim 1, wherein the input signal comprises lack of selection of the first piece of information for at least a specified amount of time where the first piece of information is displayed to the user (0012, step 16).

With respect to claim 4, Barrett teaches the method of claim 1, wherein the input signal comprises user activity associated with the first piece of information (0004, user clicking).

With respect to claim 5, Barrett the method of claim 4, wherein the user activity comprises one or more of viewing duration, scrolling, mouse movement, selection of links from the piece of information, saving, printing, and bookmarking (0012, step 16).

With respect to claim 6, Barrett teaches the method of claim 4, wherein the input signal further comprises user activity associated with articles linked from the first piece of information (0012, step 12 and figure 1).

With respect to claim 7, Barrett teaches the method of claim 1, wherein the input signal comprises selecting a user interface object associated with negative interest in the first piece of information (0004, clicking a link).

With respect to claim 8, Barrett teaches the method of claim 1, wherein the input signal comprises a user rating (0005 use rate and 0037 feedback).

With respect to claim 9, Barrett teaches the method of claim 1, wherein one of the plurality of search queries comprises one of query type, query term, application, type of application, article type, and event type (0010, 0013, and 0037).

With respect to claim 10, Barrett teaches the method of claim 9, wherein the query type comprises one of current sentence, current paragraph, text near the cursor, extracted terms, and identified entries (0010).

With respect to claim 11, Barrett teaches the method of claim 1, wherein the score comprises a relevance score (0013).

With respect to claim 12, Barrett teaches the method of claim 1, wherein the score comprises a popularity score (0043, EPS).

With respect to claim 13, Barrett teaches the method of claim 1, further comprising increasing a refresh rate of a content display (0016-0019 and 0053).

With respect to claim 14, Barrett teaches the method of claim 1, wherein the input signal is a first input signal and the interest is a first interest, further comprising:

receiving a second input signal indicating a second interest in a third piece of information (0012, figure 1, selecting more information); and

varying a refresh rate of a content display based at least in part on the duration between receiving the first input signal and the second input signal (0053, clicking behavior).

With respect to claim 15, Barrett teaches the method of claim 1, wherein the input signal comprises multiple input signals (0041, tracking clicks).

With respect to claim 16, Barrett teaches the method of claim 1, further comprising associating a weight with the search query associated with the first piece of information (0041, figure 2, Q1 and EPS).

With respect to claim 17, Barrett teaches the method of claim 16, wherein the weight is updated based at least in part on the input signal (0048).

With respect to claim 18, Barrett teaches a computer program product having a computer readable medium having a computer program instructions tangibly embodied thereon for ranking a collection of information associated with a plurality of search queries the computer program instructions comprising instructions for:

identifying an input signal indicating an interest in a first piece of information in the collection (0004 of page 2, 0005, and figure 2);

determining a search query associated with the first piece of information;

determining a search query associated with a second piece of information from the collection (figure 2, 0043, Information A and Q1 for example);

determining whether the search query associated with the first piece of information from the collection (figure 2, 0043, 0046, Info C and Q4 for example);

determining whether the search query associated with the first piece of information and the search query associated with the second piece of information are the same (0046-0047, 0053); and

if the search query associated with the first piece of information and the search query associated with the second piece of information are the same (0046-0047), determining query similarity and relevance to one another),

determining a score for the second piece of information based at least in part on the input signal (0009, 0043, and Enhanced Popularity Score (EPS)), and

ranking at least some of the collection of information based on the score (top of 0041 on page 5, 0047-0049 ad 20 of figure 1).

With respect to claim 19, Barrett teaches the computer program product of claim 18, the computer program instructions further comprising instructions for increasing a refresh rate of a content display (0016-0019 and 0053).

With respect to claim 20, Barrett teaches the computer program product of claim 18, the computer program wherein the input signal is a first input signal and the interest is a first interest the computer program instructions further comprising instructions for:

receiving a second input signal indicating a second interest in a third piece of information (0012, figure 1, selecting more information); and

varying a refresh rate of a context display based at least in part on the duration between receiving the first input signal and the second input signal (0053, clicking behavior).

With respect to claim 21, Barrett teaches the computer program product of claim 18, the computer program instructions further comprising instructions associating a weight with the search query associated with the first piece of information (0041, figure 2, Q1 and EPS).

With respect to claim 22, Barrett teaches the method of claim 1, wherein the first and second pieces of information comprise an article identifier (0011, i.e. a link).

With respect to claim 23. The method of claim 1, further comprising:

generating the plurality of search queries (0037, query family); and

adding information from results of the plurality of search queries into the collection (figure 2).

With respect to claim 24, Barrett teaches the method of claim 1, further comprising displaying the ranked collection of information in a ranked order (0043).

With respect to claim 25, Barrett teaches a computer program product having a computer-readable medium having computer program instructions tangible embodied thereon, the computer program instructions comprising instructions for:

receiving results for a plurality of search queries (figure 2);

identifying a user input indicating an interest in a first piece of information in the results (0004);

determining a search query of the plurality of queries associated with the first piece of information (figure 2, Q1 and Information A for example);

identifying a second piece of information in the results and associated with the search query (figure 2, Information B-C for example);

determining a score for the second piece of information based at least in part on the user input (figure 2 and 0046-0047); and

ranking at least some of the results based on the score (top of 0041 on page 5, 0047-0049 ad 20 of figure 1).

With respect to claim 26, Barrett teaches the computer program product of claim 25, the computer program instructions further comprising instructions for:

receiving a user input (0047); and

generating the plurality of search queries based on the user input (0043 and 0047).

Response to Arguments

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection. The Examiner submits that Barrett teaches or suggest the above limitations.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,006,222 issued to Culliss on 12/21/1999. The subject matter disclosed therein pertains to the pending claims (i.e. relating results to separate queries).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALFORD KINDRED
PRIMARY EXAMINER

Robert M. Timblin
Patent Examiner AU 2167
3/22/2007